

REMARKS

Claims 1-11 are pending. Claims 1, 4, and 6-9 have been amended. Claims 2 and 3 have been canceled without prejudice to or disclaimer of the subject matter recited therein. Applicants respectfully request reconsideration of the application in response to the non-final Office Action.

Claim Rejections Under 35 U.S.C. §102

Claims 1-5 have been rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by U.S. Patent No. 5,942,968 to Schmidt ("Schmidt"). Applicants respectfully traverse this rejection for at least the following reasons.

Claim 1, as amended, recites an active part for a surge arrester that includes, among other features, "an electrode, which is arranged at right angles to the axis and is in the form of a plate, as well as a current terminal, which is in the form of a perforated plate or a plug-in contact and which is integrally formed on the plate electrode." As described in the specification of the instant application, in some embodiments of the invention, each connection fitting (10, 20) has a plate (11, 21) acting as an electrode of the active part (i.e., a plate-like electrode) as well as a respective current terminal (also referred to as an "electrical connection") (12, 22), which is integrally formed on the respective plate electrode (11, 21). (See, Specification at page 5 and FIG. 1). In some embodiments of the invention, the current terminals (12, 22) are formed as perforated plates or plug-in contacts. (See, Specification at page 7).

Schmidt, on the other hand, describes an active part for a surge arrester having connecting fittings (1, 2) machined out of a metal cylinder. (See, Schmidt at

col. 2, lines 12-13 and FIGS. 1-3). Each connecting fitting (1, 2) has a threaded hole (11, 12) on a first front surface for receiving a thread of a device for fastening a terminal conductor (not illustrated). (See, Schmidt at col. 2, lines 15-23 and FIG. 1). Furthermore, each connection fitting (1, 2) has a cutout/cavity in a second front surface for receiving spring elements (9) and a thrust washer (10). (See, Schmidt at col. 2, lines 36-42 and FIG. 2). Current transmission elements (14) are arranged between the thrust washer (10) and the varistor element (8). (See, Schmidt at col. 2, lines 46-49 and FIG. 2).

Applicants respectfully submit that Schmidt does not describe "an electrode, which is arranged at right angles to the axis and is in the form of a plate, as well as a current terminal, which is in the form of a perforated plate or a plug-in contact and which is integrally formed on the plate electrode," as recited in claim 1. The Office appears to liken the current transmission elements (14) of Schmidt to the plate electrodes (11, 21) of the instant application, and states that an electrical connection (i.e., current terminal) is integrally formed thereon. To the contrary, the connecting fittings (1, 2) of Schmidt each has a threaded hole (11, 12) on a first front surface for receiving a thread of a device for fastening a terminal conductor (not illustrated), while the current transmission elements (14) are arranged between the thrust washer (10) and the varistor element (8).

Nowhere does Schmidt describe a terminal conductor integrally formed on the current transmission elements (14) because, in Schmidt, the terminal conductors are fastened via the threaded holes (11, 12) in the connection fittings (1, 2). Moreover, the configuration recited in claim 1 of the instant application obviates the need for the threaded holes (11, 12) in the connection fittings (1, 2) described in Schmidt.

because, as shown in FIG. 1 of the instant application, the current terminals (12, 22) are integrally formed on the plate electrodes (11, 21).

Thus, for at least these reasons, Applicants respectfully submit that Schmidt does not anticipate claim 1, and likewise does not anticipate claims 4 and 5, which depend from claim 1. Accordingly, Applicants respectfully request that the rejection of claims 1, 4, and 5 under § 102(b) in light of Schmidt be withdrawn. Claims 2 and 3 have been canceled, thereby rendering the rejection of claims 2 and 3 under § 102(b) in light of Schmidt moot.

Claim Rejections Under 35 U.S.C. §103(a)

Claims 6-11 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Schmidt in view of Japanese Patent Application Publication No. 63313806 to Shigeru ("Shigeru"). Applicants respectfully traverse this rejection for at least the following reasons.

Applicants respectfully submit that for at least the reasons described above, independent claim 1 is patentable over Schmidt. Further, Applicants respectfully submit that Schmidt does not render obvious claims 6-11, which depend from claim 1, and that Shigeru does not supply the teachings missing from Schmidt. At a minimum, neither Schmidt nor Shigeru describes "an electrode, which is arranged at right angles to the axis and is in the form of a plate, as well as a current terminal, which is in the form of a perforated plate or a plug-in contact and which is integrally formed on the plate electrode," as recited in independent claim 1. Shigeru describes a lightning arrester, in which an active part comprises a varistor column (2) and two electrodes (3, 4), designed as cylindrical parts having a large depth. (See, Shigeru

at Patent Abstracts of Japan). Like Schmidt, Shigeru shows electrodes (3, 4) having threaded holes that extend in a direction of the varistor column (2) for receiving a screw of a sealing metal fitting (10), to which a terminal conductor may be fastened. (See, Shigeru at Patent Abstracts of Japan). Nowhere does Shigeru describe, however, a terminal conductor integrally formed on the electrodes (3, 4) because, in Shigeru, terminal conductors would be fastened via the metal fitting (10) and threaded holes in the electrodes (3, 4). Having the current terminals (12, 22) integrally formed on the plate electrodes (11, 21), as described in the instant application, obviates the need for axially extended threads in the connection fittings for fastening a terminal conductor.

Thus, it would not have been obvious to persons skilled in the relevant arts to combine the arrester configurations described in Schmidt and Shigeru because any such combination of Schmidt and Shigeru would not result in the active part for a surge arrester recited in independent claim 1. Accordingly, Applicants respectfully request that the rejection of claims 6-11, which depend from claim 1, under § 103(a) over Schmidt in view of Shigeru be withdrawn.

Conclusion

It is believed that no additional fees are required to accompany this Amendment. However, if additional fees are required for any reason, please charge Deposit Account No. 02-4800 the necessary amount.

In the event that there are any questions concerning this paper, or the application in general, the Examiner is respectfully urged to telephone Applicants' undersigned representative so that prosecution of the application may be expedited.

Respectfully submitted,

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